

THE HONORABLE JOHN C. COUGHENOUR

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

AMADO PEDRO CASTILLO,

Defendant.

CASE NO. CR21-0174-JCC-4

ORDER

This matter comes before the Court on Defendant's motion to continue trial. (Dkt. No. 664.) Trial in this matter is currently set for October, 23, 2023. (Dkt. No. 636.) Defendant seeks a continuance due to a medical emergency. (*Id.*) Mr. Castillo is presently in New York and, as stated by his counsel, is experiencing debilitating symptoms. (*Id.*) The Court understands Defendant's argument to be that a continuance would serve the interest of justice in ensuring an orderly administration of trial. The Government has made the Court aware of its own scheduling conflicts. Based on the foregoing, the Court FINDS that the ends of justice will best be served by a continuance, and the ends of justice outweigh the best interests of the public and Defendant in any speedier trial, as set forth in 18 U.S.C. § 3161(h)(7)(A). The basis for this is as follows:

1 1. Taking into account the exercise of due diligence, a failure to grant a continuance
2 in this case would deny defense counsel the reasonable time necessary for effective preparation,
3 as set forth in 18 U.S.C. § 3161(h)(7)(B)(iv);

4 2. Failure to grant a continuance would likely result in the miscarriage of justice, as
5 set forth in 18 U.S.C. § 3161(h)(7)(B)(i);

6 3. The additional time requested is a reasonable period of delay in view of
7 Defendant's circumstance; and

8 4. The additional time requested between the current trial date and the new trial date
9 is necessary to provide the time required to adequately tend to trial-related matters considering
10 Defendant's medical ailment and the Government's competing schedule.

11 Accordingly, Defendant's motion (Dkt. No. 664) is GRANTED.

12 It is ORDERED that the trial date be CONTINUED to January 29, 2024 and that the time
13 between the filing of this motion to continue and the new trial date is excludable time under the
14 Speedy Trial Act, as provided in 18 U.S.C. §§ 3161(h)(7)(A), 3161(h)(7)(B)(i), and
15 3161(h)(7)(B)(iv).

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17 DATED this 12th day of October 2023.

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John C. Coughenour
UNITED STATES DISTRICT JUDGE